

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

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|--------------------------|---|-----------------------|
| EASTER SERVICES, L.L.C., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| -vs- |) | Case No. CIV-20-178-F |
| |) | |
| TRAVELERS CASUALTY AND |) | |
| SURETY COMPANY OF |) | |
| AMERICA, |) | |
| |) | |
| Defendant. |) | |

ORDER

The court is in receipt of Defendant Travelers Casualty and Surety Company of America's Notice of Removal (doc. no. 1), filed February 28, 2020, and Defendant Travelers Casualty and Surety Company of America's Motion to Dismiss (doc. no. 4) and Defendant Travelers Casualty and Surety Company of America's Amended Motion to Dismiss (doc. no. 5), both filed March 2, 2020.

In light of the filing of the amended motion, the court shall strike as moot Defendant Travelers Casualty and Surety Company of America's Motion to Dismiss (doc. no. 4).

The court has reviewed the record and notes that Jason Easter signed the "Petition Amendment" on behalf of plaintiff, Easter Services, LLC. *See*, doc. no. 1, exhibit numbers 2, 5 and 6. However, a limited liability company, which is a business entity, can only appear in court through an attorney and not through a non-attorney corporate officer appearing pro se. *See*, Harrison v. Wahatoyas, LLC, 253 F.3d 552, 556 (10th Cir. 2001); *see also*, Flora Constr. Co. v. Fireman's Fund Ins.


Co., 307 F.2d 413, 414 (10th Cir. 1962); LCvR 17.1 (“Parties who are not natural persons may not appear pro se.”) Plaintiff, Easter Services, LLC, shall therefore be required to secure an entry of appearance by counsel on its behalf (with association of resident counsel if required by Rule 83.3 of the court’s Local Civil Rules) within 30 days from the date of this order. Defendant Travelers Casualty and Surety Company of America’s Amended Motion to Dismiss (doc. no. 5) shall be held in abeyance pending an entry of appearance by counsel on behalf of plaintiff.

IT IS THEREFORE ORDERED that Defendant Travelers Casualty and Surety Company of America’s Motion to Dismiss (doc. no. 4) is **STRICKEN** as **MOOT**.

IT IS ALSO ORDERED that plaintiff, Easter Services, LLC, shall secure an entry of appearance by counsel on its behalf (with association of resident counsel if required by Rule 83.3 of the court’s Local Civil Rules) by **April 2, 2020**. Failure to do so may result in the dismissal without prejudice of plaintiff’s action.

IT IS FURTHER ORDERED that Defendant Travelers Casualty and Surety Company of America’s Amended Motion to Dismiss (doc. no. 5) is **HELD** in **ABEYANCE** pending an entry of appearance by counsel on behalf of plaintiff, Easter Services, LLC.

IT IS SO ORDERED this 3rd day of March, 2020.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE